

IN SENATE OF THE UNITED STATES,

MARCH, 6, 1826.

MR. LLOYD, from the Committee on Commerce, to whom was referred the memorial of the City Council of Charleston, South Carolina, by Joshua Johnson, Esq. Intendant:

REPORTED:

The memorialists allege, that some time in the year 1804, they entered into a contract, with the then Secretary of the Treasury, Mr. Gallatin, to relieve the United States from the charge of the Marine Hospital, at Charleston, stipulating that the sum of fifteen thousand dollars should be forthwith appropriated by the United States, for building a Hospital; and that the Hospital money collected in the Port, should be paid over to them, to defray the expenses of the establishment; and, from its being understood that the Hospital money collected in that port yielded an inadequate fund for the relief of sick and disabled seamen; it was moreover agreed, that, to make up the deficiency, a tonnage duty should be imposed by the State Legislature, to which the assent of Congress should be asked, which was granted to an extent not exceeding ten cents per ton, and has been continued to the present time; but the memorialists affirm, they have not had the benefit of their contract, so far as relates to the money to be appropriated for building the Hospital, altho' the Secretary of the Treasury, in 1816, Mr. Dallas, was so well convinced of the right of the memorialists, as to pay for a lot that had been purchased as a suitable site for the erection of the Marine Hospital, and to hold out assurances to them, that the building should be erected with as little delay as possible; yet, that, since that period, nothing has been done by the General Government, and the lot which had been bought and conveyed to the United States remains unimproved; and that in reply to their remonstrances, they were informed by the late Secretary of the Treasury, Mr. Crawford, that no funds for building Hospitals were at the disposal of the Department.

The Memorialists further state, that the contract has been altogether unfavorable to them, and that they have expended in the support of sick and disabled seamen, from the date thereof in 1804, 50,000 dollars and upwards, more than they have received from the sources before mentioned. They therefore pray, that they may be either released from their aforesaid contract, or that an appropriation may be made

for the payment of said sum of 15,000 dollars, with the interest thereon, from the year 1804, for the erection of a Marine Hospital, in lieu of the temporary building they have been obliged to hire for that purpose. In reference to all which statements, from an examination of the correspondence on file at the Treasury, from 1802, to the present time, no contract being in possession of the Department, the Committee find that in June, 1802, a proposition of the character, and under the circumstances beforestated, was made and agreed to, between the then Secretary of the Treasury, and the City Council of Charleston; and in the opinion of the Committee, the understanding at this time was, that the lot on which the Hospital should be erected, was to have been purchased by the Corporation of the City of Charleston, and conveyed to the United States.

In 1805, the City Council agreed to purchase a lot for the purpose of erecting a Marine Hospital thereon, and to convey the same to the United States; this, however, was not done, and the reasons for the omission do not appear from any documents at the command of the Committee.

The subject thus apparently rested, until 1816, when the Secretary of the Treasury, Mr. Dallas, acknowledged the receipt of a recommendation from the City Council, that a lot should be purchased for the erection of a Hospital to which he assented, and directed a plan of the building to be sent on for the approbation of the President; some difficulties then intervened in reference to the title, which were finally removed by the guaranty of the City Council; and directions were given by the Secretary, to the Collector at Charleston, as soon as the title had been examined and certified, and the conveyance recorded, to pay the consideration money for the lot, being 5,500 dollars; which formalities, it appears from the record, were complied with on the 14th November, 1816, and the money was accordingly paid by the United States. Subsequently to which, applications were made at different times to the Secretary of the Treasury, for the completion of the agreement by the erection of a building, but without effect, owing for part, if not the whole of the time, to the want of funds, at the disposition of the Department, for that object.

From a consideration of all the circumstances in the case, the Committee are of opinion, the City of Charleston has a just and equitable claim on the United States, either to release the Corporation from its engagements, in reference to sick and disabled seamen, or to fulfil, in good faith on their part, the contract entered into with the City; the latter, of which, the Committee do not hesitate to recommend, assuming as the sum to be liquidated,

\$ 15,000

And deducting therefrom the amount paid, November,
14th, 1816, for the purchase of a site, being

5,500

leaving

\$ 9,500

With an allowance of interest for ten years; before the
expiration of which period the work cannot be

completed, being

5.700

And making in the whole,

\$ 15,200

Believing, from the tenor of the correspondence, that the procuring and causing to be conveyed to the United States a suitable lot, for the purpose of erecting thereon a Marine Hospital, was a condition precedent to the fulfilment of any obligation on the part of the United States; while it is admitted on the other hand, that, since 1805, the City has furnished its poor-house, or hired a building for the accommodation of sick and disabled seamen at its expense; but this is counterbalanced, as the Committee conceive, by the purchase of a lot, and the payment for it by the United States, the obligation to do which, on their part, was not conclusive to the Committee; in conformity with which opinions, and recommendation, the Committee, herewith, report a bill, authorizing the Secretary of the Treasury to cause to be erected, on the lot of land heretofore purchased for that purpose, a suitable Hospital, at Charleston, in South Carolina, or in its vicinity, for the accommodation of sick and disabled seamen, at a cost not exceeding fifteen thousand two hundred dollars. It being understood, that the same, with the site thereof, shall be, and continue, the property of the United States.

Which is respectfully submitted,

J. LLOYD, *Chairman.*

